IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION Nos.20215, 20305, 21558 & 23173 of 2004

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WRIT PETITION No: 20215 of 2004

Between:

Ch. Naga Narasimha Rao S/o Sri Ch. Kanakadurga Rao
Kovvuru Municipality, West Godavari District

..... PETITIONER

AND

1 State of Andhra Pradesh, rep by Principal Secretary, Municipal Administration and Urban Development
Department, Secretariat, Saifabad, Hyderabad
2 The Commissioner and Director of Municipal Administration, MCH office Complex, south Block, 4th floor, Hyderabad.
3 The Regional Director-cum-Appellate Commissioner of Municipal Administration, Rajahmundry, East Godavari district.
4 The Andhra Pradesh Public Service Commission, Gruha Kalpa Building, Mukarram Jahi Road, Nampally,
Hyderabad, rep by secretary.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction, more particularly one in the nature of Writ of certiorari as under (a) call for the records relating to and connected with the judgment and order rendered on 15th October 2004 in O.A. No. 3329 of 2004 along with the batch

of O.A. Bearing O.A No. 3329 of 2004 along with the batch of O.As bearing O.A.No. 3840 of 2004 by the A.P. Admn. Tribunal and quash and set a side the same holding as unsustainable; (b) Direct the respondents not to review/alter/review/alter/reconsider the selection and appointment of the applicant as Municipal Commissioner Grade-III in Multi Zone-I made in pursuance of the selection by the Andhra Pradesh Public Service Commission in response to notification No. 10 of 1999 (c) further direct the respondents not to alter or cancel the orders contained in G.O.Ms. No. 84 M.A., dt 22-03-2001 of the 1st respondent through which proceeding the Writ Petitioner came to be appointed (d) Direct the respondents not to make any appointment afresh in favour of the Writ petitioner as Assistant Commercial tax Officer and instead, direct the respondents to continue in service the writ petitioner as municipal Commissioner in Multi-Zone-I

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: GP FOR SERVICES I

WRIT PETITION No: 20305 of 2004

Between:

Bonoth Nageshwar Rao, S/o. Basu,
Kesamudram, Warangal District. Resident of Kesamudram.

..... PETITIONER

AND

1 State of Andhra Pradesh., Rep by its Principal Secretary, Revenue Department Secretariat, Saifabad, Hyderabad.
2 The Commissioner of Commercial Taxes, Mukarram Jahi Road, Nampally, Hyderabad.
3 The Deputy Commissioner of Commercial Taxes, Warangal Division, Warangal.
4 The Andhra Pradesh Public Service Commission, Gruha Kalpa Building, Mukarram Jahi Road, Nampally, Hyderabad Represented by its Secretary

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Certiorari as under: a) Call for the records relating to and connected with the judgment and order rendered on 15th October 2004 in O.A.No. 3240 of 2004 by the A.P. Administrative Tribunal and quash and set aside the same holding it as unsustainable; b) Direct the respondents not to review/alter/reconsider the selection and appointment of the petitioner as Assistant Commercial Tax Officers, Zone-V made in pursuance of his selection by the Andhra Pradesh Public Service

Commission in response to Notification No. 10 of 1999 c) Further direct the respondents not to make any appointment afresh in favour of the writ petitioner as Extension Officer (Rural Development) instead, direct the respondents to continue in service the writ petitioner as Assistant Commercial Tax Officer Zone-V and pass

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: GP FOR SERVICES II

WRIT PETITION No: 21558 of 2004

Between:

Kadirappagari Govinda Reddy, S/o. K. Raghava Reddy,
Interviewed and Not Selected, Unemployee, C/o. R. Obi Reddy, Sri Surya Public School, Mudigubba Village and Mandal, Anantapur District-515 511.

..... PETITIONER

AND

1 The Andhra Pradesh Public Service Commission, Rep., by its Secretary, M.J. Road, Nampally, Hyderabad.
2 The Government of Andhra Pradesh, Represented by its Chief Secretary, General Administration Department, Secretariat Buildings, Hyderabad.
3 The Government of Andhra Pradesh, Represented by its Secretary, General Administration Department, Secretariat Buildings, Hyderabad.
4 P. Ratnakumari, A.S.O., Labour Employment, A.P. Secretariat, Hyderabad.
5 K.V. Krishnaiah, A.S.O. Agriculture Department, Secretariat, Hyderabad.
6 M. Chandrasekhar, A.S.O., Secretariat, Hyderabad.
7 Prasad Reddy, .T, A.S.O., Secretariat, Hyderabad.
8 G. Sivaiah, A.P. Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction especially one in the nature of certiorari b) calling for records pertaining to O.A.No. 4835/2004 and its order dated 15-10-2004 on the file of Hon'ble A.P. Administrative Tribunal and quash the same and (b) further be pleased to call for the records relating to the provisionally qualified candidates oral test (interview) list dated 24-01-2004 and the consequential provisional selection list for the appointment to the Executive Posts falling in Group-II services list dated 31-5-2004 (relating to the A.P.P.S.C., advertisement No. 10/99) and all other consequential proceedings if any of the Respondents and set aside the same by holding as contrary to orders of the Hon'ble High Court in W.P Nos. 2868 and 2904/2002 dated 08-7-2003 and further orders dated 26-07-2004 of the Apex court passed in Special Leave to Appeal in Civil No. 7772/2004 by further directing the 1st respondent to confine the selections to the vacancies reported in 2nd spell i.e., 973

Executive posts and 199 Non-Executive posts without disturbing the selections already made earlier by taking the earlier non selections already made earlier by taking the earlier non selected candidates in accordance with the ratio prescribed and presidential order.

Counsel for the Petitioner: MR.M.SURENDER RAO

Counsel for the Respondent No.1-3: GP FOR SERVICES II

Counsel for the Respondent Nos.5&8: MR.NUTY RAM MOHAN RAO

WRIT PETITION No: 23173 of 2004

Between:

Kanapuram Sunitha D/o.K.Narsimlu
Deputy Commissioner (CT), Hyderabad Rural Divisin,
Hyderabad.

..... PETITIONER

AND

1 Revenue Department State of A.P. Its Principal Secretary
Secretariat, Hyderabad.
2 The Commissioner of Commercial Taxes
M.J.Road,Nampally, Hyderabad.
3 The Deputy Commissioner of Commercial Taxes
Hyderabad Rural Division, Hyderabad.
4 The Andhra Pradesh Public Service Commission rep by its Secretary, Gruha Kalpa, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of writ of Certiorari calling for the records relating to the order of the Hon'ble A.P.A.T. dt 15.10.2004 in OA No.3463/2004 and quash the same and further direct the respondents not to review the appointment of the petitioner as Assistant Commercial Tax Officer and further direct the respondents to continue the petitioner as Assistant Commercial Tax Officer by declaring the action of the APPSC as illegal, bad, arbitrary and without jurisdiction and to pass other order or orders.

Counsel for the Petitioner: MR.J.R.MANOHAR RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORAL COMMON ORDER:- (Per GB,J.)

All these matters are covered by the decision of this Court in W.P.No.20106 of 2004 and batch dated 27-12-2004.

Accordingly, the Writ Petitions stand disposed of in terms of the orders passed therein in which this Court has categorically observed that the appointments in first round selection should not be disturbed. If any such dislocation has taken place, the A.P.P.S.C. is directed to set right the same in accordance with the directions contained in the aforesaid Writ Petition. No costs.

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G. BIKSHAPATHY, J.

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P.S. NARAYANA, J.

Date: 28-12-2004

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To

1 The Principal Secretary, State of Andhra Pradesh, Municipal Administration and Urban Development
Department, Secretariat, Saifabad, Hyderabad
2 The Commissioner and Director of Municipal Administration, MCH office Complex, south Block, 4th floor, Hyderabad.
3 The Regional Director-cum-Appellate Commissioner of Municipal Administration, Rajahmundry, East Godavari district.
4 The Secretary, Andhra Pradesh Public Service Commission, Gruha Kalpa Building, Mukarram Jahi Road, Nampally,
Hyderabad.

5 The Principal Secretary, State of Andhra Pradesh, Revenue Department Secretariat, Saifabad, Hyderabad.
6 The Commissioner of Commercial Taxes, Mukarram Jahi Road, Nampally, Hyderabad.
7 The Deputy Commissioner of Commercial Taxes, Warangal Division, Warangal.
8 The Chief Secretary, Government of Andhra Pradesh, General Administration Department, Secretariat Buildings, Hyderabad.
9 The Secretary, Government of Andhra Pradesh, General Administration Department, Secretariat Buildings, Hyderabad.
4 P. Ratnakumari, A.S.O., Labour Employment, A.P. Secretariat, Hyderabad.
5 K.V. Krishnaiah, A.S.O. Agriculture Department, Secretariat, Hyderabad.
6 M. Chandrasekhar, A.S.O., Secretariat, Hyderabad.

7 Prasad Reddy, .T, A.S.O., Secretariat, Hyderabad.
8 G. Sivaiah, A.P. Secretariat, Hyderabad.

9 The Principal Secretary, State of A.P., Revenue Department, Secretariat, Hyderabad.
10 The Deputy Commissioner of Commercial Taxes
Hyderabad Rural Division, Hyderabad.
11 2 CCs to the G.P. for Services I and II, High Court of A.P., Hyderabad (OUT).

12 2 CCs to the G.P. for Revenue, High Court of A.P., Hyderabad (OUT).
13 2 CD copies.

14 The Secretary, APPSE, M.J. Road, Nampally, Hyderabad.